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U.S. Department of Homeland Security
U. S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090



**U.S. Citizenship
and Immigration
Services**

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DATE: **MAR 15 2012**

OFFICE: TEXAS SERVICE CENTER



IN RE:

Petitioner:

Beneficiary:



PETITION: Immigrant Petition for Alien Worker as a Multinational Executive or Manager Pursuant to Section 203(b)(1)(C) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(C)

ON BEHALF OF PETITIONER:

SELF-REPRESENTED

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$630. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The preference visa petition was denied by the Director, Texas Service Center. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner is a Florida corporation that claims to be engaged in “boats maintenance services,” and it seeks to employ the beneficiary as its “president/joint entrepreneur.” Accordingly, the petitioner endeavors to classify the beneficiary as an employment-based immigrant pursuant to section 203(b)(1)(C) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(C), as a multinational executive or manager.

On May 18, 2009, the director denied the immigrant petition determining that the petitioner did not submit the required initial evidence and supporting documentation with the Form I-140. Aside from the statements made on the Form I-140, the petitioner did not submit any evidence to support its petition.

On June 19, 2009, the petitioner submitted the Form I-290B to appeal the director’s denial. The petitioner marked the box at part two of the Form I-290B to indicate that a brief and/or additional evidence will be submitted to the AAO within 30 days.

On appeal, the petitioner submits a copy of a \$500.00 deposit made to the petitioner’s bank account. The petitioner also submits a printout of the petitioner’s information from the Florida Department of State Division of Corporation website. Furthermore, the petitioner submits the petitioner’s Certificate of Incorporation which was filed on February 13, 2009, seven days prior to filing the Form I-140.

The petitioner also submits a letter requesting that “your office disengage from your erroneous decision regarding this matter” and states that “I am attaching all documentation in regards to the questionnaire submitted by USCIS.” Finally, the petitioner provides an affidavit from the beneficiary stating his birth date, his alien number, his place of residence and that he “served paper and documents in support of any position that states that this is the Affiant’s attachment which explained the evidentiary requirements for the benefit sought.”

An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal. 8 C.F.R. § 103.3(a)(1)(v).

In regards to the director’s conclusion that the petitioner failed to submit sufficient evidence to show the beneficiary’s eligibility for the immigrant petition, the petitioner fails to identify any erroneous conclusion of law or statement of fact for the appeal. The petitioner claimed that the immigrant visa petition should be granted but did not provide any evidence to corroborate that claim. Going on record without supporting documentary evidence is not sufficient for purposes of meeting the burden of proof in these proceedings. *Matter of Soffici*, 22 I&N Dec. 158, 165 (Comm. 1998) (citing *Matter of Treasure Craft of California*, 14 I&N Dec. 190 (Reg. Comm. 1972)).

As no evidence is presented on appeal to overcome the decision of the director, the appeal will be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(1)(v).

The burden of proof in these proceedings rests solely with the petitioner. Section 291 of the Act, 8 U.S.C. § 1361. The petitioner has not sustained that burden.

ORDER: The appeal is summarily dismissed. The petition is denied.